

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

R STREET INSTITUTE,

Plaintiff,

v.

**ARTHUR RIZER d/b/a
ARROW CONSULTING, LLC, and
RIZER CONSULTING, LLC,**

Defendants.

Case No. 1:21-cv-401-AJT-MSN

JOINT MOTION TO VACATE ORDER DATED AUGUST 11, 2021

Plaintiff R Street Institute and Defendants Arthur Rizer d/b/a ARrow Consulting and Rizer Consulting, LLC jointly respectfully request that the Court vacate its order dated August 11, 2021, directing Plaintiff to immediately obtain a default from the Clerk in this matter, and to thereafter file a motion seeking default judgment [Dkt. No. 6]. In support of this motion, the parties state as follows:

1. Plaintiff R Street Institute (“RSI”) filed its complaint in the above-captioned matter on or about April 1, 2021 and served Defendants shortly thereafter.

2. Since that time, RSI and Defendants have been actively engaged in settlement negotiations. During those negotiations, counsel for Defendants repeatedly requested extensions from RSI of the deadline for Defendants’ responses to the complaint. In response to those requests, RSI consented to a series of such extensions. Based on those discussions, Defendants are currently obligated to respond to the complaint on or before August 27, 2021.

3. RSI and Defendants have reached an agreement in principle on the terms under which they will settle their dispute and dismiss the above-captioned matter. Counsel for the parties have

exchanged drafts of a final settlement agreement, and expect to reach a final agreement, executed by the parties, within two weeks.

4. For these reasons, there is no basis for Plaintiff to seek a default against Defendants in this matter, as directed by the Court in its Order issued on August 11, 2021 [Dkt. No. 6].

5. The vacating of the Court's Order will not cause undue delay in the resolution of this matter. Moreover, given that the parties anticipate a settlement of this matter within weeks, the vacating of this Order is in the interests of justice and the interests of judicial economy.

WHEREFORE, RSI and Defendants respectfully request that the Court vacate its order dated August 11, 2021 [Dkt. No. 6].

Respectfully submitted,

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